

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ROBERT D. LATTAS, individually)	
and on behalf of a class,)	
)	Case No.: 2007-CV-6296
Plaintiff,)	
)	The Honorable Mark Filip
vs.)	
)	Mag. Judge Martin C. Ashman
MERCURY CAFÉ, INC.,)	
)	
Defendant.)	

**AGREED MOTION FOR ENLARGEMENT OF TIME TO
RESPOND TO COMPLAINT**

Defendant, Mercury Café, Inc. (“Mercury Café”), by its undersigned attorneys, respectfully submit this Agreed Motion for Enlargement of Time to Respond to Complaint, and in support thereof state as follows:

1. On or about November 6, 2007, Plaintiff, Robert D. Lattas (“Plaintiff”), commenced this case by filing his Complaint alleging that Mercury Café violated the Fair and Accurate Credit Transactions Act, 15 U.S.C. § 1681, *et seq.*
2. On or about November 14, 2007, Mercury Café was served with Summons and the Complaint.
3. The undersigned counsel for Mercury Café was retained on or about November 26, 2007, and counsel has commenced a preliminary investigation into the allegations set forth in the Complaint. Counsel requires, however, additional time to more fully investigate this matter and respectfully requests that the Court grant Mercury Café thirty (30) additional days, up to and including January 3, 2008, to respond to the Complaint.

4. On or about November 26, 2007, the undersigned counsel spoke with David Jenkins, counsel for Plaintiff, regarding this extension of time. Pursuant to that conversation, Mr. Jenkins agreed to a thirty (30) day extension of time, up to and including January 3, 2008, for Mercury Café to respond to the Complaint.

5. This is Mercury Café's first motion for an enlargement of time and it is not made for the purpose of delay. Rather, this motion is made in an attempt to secure sufficient time to adequately prepare a response to the Complaint.

WHEREFORE, Mercury Café respectfully requests that this Court enter an order:

- (i) extending the time for Mercury Café to respond to Plaintiff's Complaint by thirty (30) days, up to and including January 3, 2008; and
- (ii) granting it any additional relief that this Court deems just and equitable.

Dated: December 4, 2007

Respectfully submitted,

MERCURY CAFÉ, INC.

/s/ David S. Almeida

One of Its Attorneys

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Attorneys for Mercury Café, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on December 4, 2007, a copy of the foregoing **Agreed Motion for Enlargement of Time to Respond to Complaint** was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's electronic filing system. I further caused a copy of the foregoing to be sent via regular U.S. Mail to:

David M. Jenkins
Barone & Jenkins, P.C.
635 Butterfield Road, Suite 145
Oakbrook Terrace, IL 60181

/s/ David S. Almeida